



U.S. Department of Justice

Antitrust Division

Liberty Square Building

*450 5th Street, N.W.
Washington, DC 20001*

August 7, 2018

The Honorable Colleen McMahon
Chief Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Dear Judge McMahon:

As described in this letter, the United States and Defendants The Walt Disney Company and Twenty-First Century Fox, Inc., respectfully request that the Court: (1) conclude that a civil case management plan in this case is not necessary in this case; (2) sign the Hold Separate Stipulation and Proposed Order (Doc. 3-2) jointly filed by the parties; and (3) cancel the September 7, 2018, status hearing.

First, on July 10, your Honor ordered the parties to file a civil case management plan within 30 days. The parties respectfully submit that a civil case management plan is not necessary in this case. This case involves a civil antitrust action filed by the United States and a proposed Final Judgment that would settle the case pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) (the “APPA”). The statutory procedures governing entry of the proposed Final Judgment are described in the Explanation of Consent Decree Procedures (Doc. 3).

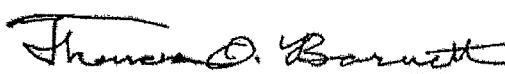
Second, the undersigned parties respectfully request that the Court sign the parties’ Hold Separate Stipulation and Order (Doc. 3-2). At the same time as filing the Complaint and proposed Final Judgment, the parties filed a Hold Separate Stipulation. The Hold Separate Stipulation ensures the Defendants preserve competition by complying with the proposed Final Judgment’s provisions during the pendency of the proceedings as required by the APPA. *See* 15 U.S.C. § 16(b)-(h).

Third, in light of the APPA procedures, the parties respectfully request that the Initial Pretrial Conference set for September 7, 2018, be cancelled. After the expiration of a sixty-day public comment period required by the APPA, the United States will file with the Court a summary of the comments received, if any, and the United States’s responses, and it may ask the Court to enter the proposed Final Judgment (unless the United States has decided to withdraw its

consent to entry of the Final Judgment, as permitted by Section IV.A of the Stipulation, *see 15 U.S.C. § 16(d)*). If the United States requests that the Court enter the proposed Final Judgment after compliance with the APPA, 15 U.S.C. § 16(e)-(f), then the Court may enter the Final Judgment without a hearing, provided that it concludes that the Final Judgment is in the public interest.

The parties are available by telephone to answer any questions the Court may have regarding this letter.

Respectfully submitted,



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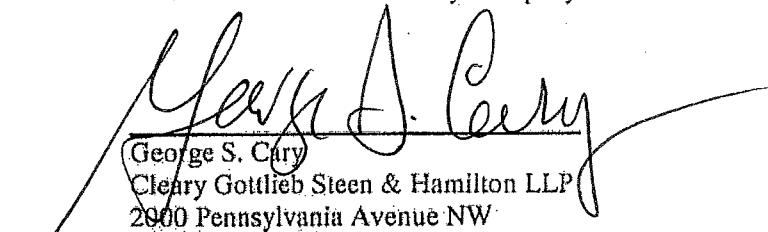
Counsel for The Walt Disney Company

Respectfully submitted,



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